

**FREEDOM OF INFORMATION COMMISSION  
STATEMENT ON HB 5816  
AN ACT CONCERNING INTERNET SECURITY.**

The Freedom of Information Commission (FOIC) does not take a position on the merits of this proposal to develop information security standards, policies and guidelines at all state agencies. The FOIC, however, would like to direct the Committee's attention to two related concerns.

The FOIC's first concern is the definition of confidentiality in lines 11 through 13 which states, " 'Confidentiality' means the preservation of authorized restrictions on information access and disclosure, including the means for protecting personal privacy and proprietary information;". First, it is unclear what the term is to be applied to in the bill. Second the Commission feels that this definition is vague and the question could be raised as to what an "authorized restriction" in this proposed definition could actually be. The FOIC recommends changing the language making it clear that the authorized restrictions envisioned in the bill are the same restrictions on access allowed under the Freedom of Information Act (FOIA) and no other.

The FOIC's second concern is the language of lines 134 through 136 which states, "Nothing in this section shall be interpreted to require the disclosure of information considered confidential by state or federal law." The FOIC requests that the word "statute" be inserted after the word "state" so that the line would read "considered confidential by state statute or federal law". This change would then mirror the provisions of the FOIA.

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